

Message Text

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FM AMEMBASSY TEL AVIV

TO SECSTATE WASHDC 5013

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C O N F I D E N T I A L TEL AVIV 7413

LIMDIS

E.O. 11652: GDS

TAGS: PFOR, UR, US, IS

SUBJ: EFFORTS OF TELFORD TAYLOR TO APPEAL

CONVICTIONS OF SOVIET JEWS

REF: TEL AVIV 1675, MOSCOW 5053

SUMMARY. TELFORD TAYLOR REVIEWED WITH US HIS UNSUCCESSFUL EFFORTS OVER PAST YEAR TO SECURE RELEASE OF SOVIET JEWS WHO HAD SOUGHT TO IMMIGRATE TO ISRAEL AND WERE SUBSEQUENTLY ARRESTED AND CONVICTED FOR VARIOUS POLITICAL CRIMES. HE IS NOW CONSIDERING PUBLICIZING HIS EFFORTS, WHICH TO DATE HAVE BEEN CLOSELY HELD, AS MEASURE TO PRESSURE SOVIETS TO PERMIT APPEAL OF CONVICTIONS AND/OR RELEASE OF PRISONERS. TAYLOR WOULD LIKE TO DISCUSS SUBJECT WITH SENIOR DEPARTMENT OFFICIALS BEFORE HE GOES PUBLIC. END SUMMARY.

1. PROFESSOR TELFORD TAYLOR OF COLUMBIA UNIVERSITY VISITED EMBASSY DECEMBER 20 TO REVIEW HIS EFFORTS OF PAST YEAR TO SECURE RELEASE OF JEWS IN SOVIET UNION CONVICTED OF POLITICAL CRIMES.

2. TAYLOR AND SEVERAL COLLEAGUES FROM US LAW SCHOOLS
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(ALLAN DERSHOWITZ OF HARVARD, LEON LIPSON OF

YALE AND GEORGE FLETCHER OF UCLA WERE AMONG THOSE HE CITED) HAVE BEEN ACTING AT BEHEST OF AMERICAN COUNCIL ON SOVIET JEWRY. TAYLOR SAID THAT SOME 46 SOVIET JEWS WERE INVOLVED, ALL OF WHOM HAD SOUGHT TO IMMIGRATE TO ISRAEL BUT WERE SUBSEQUENTLY CONVICTED OF POLITICAL CRIMES AND IMPRISONED. INCLUDED IN GROUP ARE THOSE INVOLVED IN LENINGRAD HIJACKING TRIAL FOUR YEARS AGO.

3. TAYLOR SAID THAT HIS EFFORTS TO APPEAL CONVICTIONS WERE BASED ON PROCEDURAL OR SUBSTANTIVE GROUNDS. HE STATED THAT ON BASIS OF DOCUMENTATION AND ORAL TESTIMONY MAINLY FROM RELATIVES OF CONVICTED PRISONERS NOW IN ISRAEL, THERE WAS SUFFICIENT GROUNDS TO BELIEVE THAT IN SOME CASES PROCEDURAL ASPECTS OF SOVIET LAW HAD BEEN VIOLATED. IN OTHER CASES PROPER EVIDENCE WAS LACKING TO SUSTAIN CONVICTIONS, OR SENTENCES WERE DISPROPORTIONATE TO NATURE OF CRIMES ALLEGEDLY COMMITTED. HE CITED, AS EXAMPLE, THAT CONVICTION FOR TREASON IN CASE OF LENINGRAD HI-JACKING TRIAL COULD NOT BE JUSTIFIED BY DEFINITION OF TREASON IN SOVIET LAW.

4. OF 46 PRISONERS, TAYLOR HAD ACTED ON BEHALF OF 19 WHOSE RELATIVES HAD BEEN LOCATED AND WHO WERE WILLING TO GIVE HIM POWER OF ATTORNEY TO HANDLE APPEALS. SUBSEQUENTLY THREE PRISONERS, INCLUDING SYLVIA ZALMANSON, WERE RELEASED, AND TAYLOR NOW HAS 16 DOCUMENTED CASES.

5. TAYLOR BRIEFLY DESCRIBED MEETING HE HAD WITH DEPUTY SOVIET PROCURATOR MALYAROV IN APRIL (MOSCOW 5053), AND WITH SOVIET PROCURATOR RUDENKO IN JULY, AT WHICH HE PRESENTED PETITIONS REQUESTING SOVIETS TO REVIEW CASES. (TAYLOR KNEW RUDENKO PERSONALLY FROM NUREMBURG TRIALS.) MEETINGS FAILED TO PRODUCE ANY POSITIVE RESPONSE ON PERMITTING APPEALS. SUBSEQUENT LETTER TO RUDENKO CONFIDENTIAL

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REQUESTING INFORMATION ON STATUS OF PETITIONS REMAINS UNANSWERED.

6. TAYLOR IS NOW DEBATING WHETHER HE SHOULD PUBLICIZE HIS EFFORTS TO FREE THESE PRISONERS. HIS ACTIVITIES TO DATE HAVE BEEN CLOSELY HELD. AMONG AMERICANS OUTSIDE DEPARTMENT WHO ARE AWARE OF THIS PROJECT ARE FORMER WHITE HOUSE

OFFICIAL LEONARD GARMENT AND RICHARD PERL OF
SENATOR JACKSON'S STAFF. ON CURRENT VISIT TO
ISRAEL, TAYLOR DISCUSSED HIS EFFORTS WITH MFA
DIRECTOR NORTH AMERICAN DIVISION (DAFNI), WHO
ENCOURAGED HIM TO GO PUBLIC.

7. WHILE INCLINED TO PUBLICIZE HIS EFFORTS,
BELIEVING THAT SOVIETS MIGHT YIELD TO PUBLIC
PRESSURES, TAYLOR HAS NOT YET MADE UP HIS MIND.
HE SAID HE WOULD LIKE TO DISCUSS SUBJECT WITH
SENIOR STATE DEPARTMENT OFFICIALS. AT SUGGESTION
OF EMBASSY, TAYLOR MAY CNTACT ASSISTANT SECRETARY
HARTMAN'S OFFICE FOR APPOINTMENT.
KEATING

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